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FSUM 10302
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Robert A. Holton et al.
Serial No. 09/063,477
Filed April 20, 1998
For PROCESS FOR SELECTIVE DERIVATIZATION OF TAXANES
Examiner Ba K. Trinh

Art Unit 1612

August 30, 2000

AMENDMENT B

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS,

SIR:

In response to the Office action dated May 1, 2000, please enter the following amendments.

IN THE CLAIMS:

Please cancel claims 20-28.

REMARKS

Claims 20-28, which were indicated as being allowable, are now being prosecuted in divisional application 09/335,408. Claims 1-19 are now pending in this application.

With respect to the rejection of claims 1-16 of the present application under 35 U.S.C. 102(e) as being anticipated by the Damen patent, applicants submit the declarations of Drs. Robert A. Holton, Zhuming Zhang and David J. Procter as evidence that applicant is *prima facie* entitled to judgment relative to the Damen patent within the context of 37 C.F.R. §1.608(b). The declarations set forth the experimental reduction to practice of the invention prior to the filing date for the Damen patent, and provide corroborating evidence by a non-inventor of the reduction to practice.

Applicant acknowledges that claims 17-19 are withdrawn from consideration and will be rejoined to claims 1-16 if an interference proceeding is decided in favor of the applicant.

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Enclosed is a check in the amount of \$55.00 for a one month extension of time. The Commissioner is hereby authorized to charge to Deposit Account No. 19-1345 any fees under CFR 1.16 and 1.17 which may be required during the entire pendency of this application.

Respectfully submitted,



Kathleen M. Petrillo, Reg. No. 35,076
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CERTIFICATE OF MAILING

I certify that the foregoing AMENDMENT B, in the application of Robert A. Holton et al., Serial No. 09/063,477, filed April 20, 1998, is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Box Fee Amendment, Assistant Commissioner for Patents, Washington, D.C. 20231 on this 30th day of August, 2000.



Carol Aschenbrenner

*Enclosures